

## **§ 6-1463. Uniform citation and complaint and citation in lieu of arrest.**

(A) Complaint and Notice to Appear; Form.

(1) The Uniform Citation and Complaint form shall be used in county courts, whether the complaint is made by a peace officer, prosecutor, or any other person.

Form: electronically-generated citation and complaint. The "Uniform Citation and Complaint" shall be created electronically. The information on the form shall be set out as shown in Appendix 5 and compliant with NCIC codes. The law enforcement officer preparing the Uniform Citation and Complaint shall print the defendant's copy, which shall contain the waiver and plea section if applicable. A copy may be printed for the law enforcement officer or her or his agency, and another for the prosecutor.

All electronically-generated Uniform Citation and Complaint forms shall be at a minimum printed on letter-sized (8½ x 11 inches) white paper with black printing, in the format approved by the Supreme Court. Beginning January 1, 2020, all citation/complaint forms will be electronically filed as a standard sized (8½ x 11 inches) PDF with the court. Multi-page citations/complaints PDFs may be filed when required if the defendant is charged with multiple offenses.

(2) Form: Beginning January 1, 2020, a hand-written citation and complaint may be used only when equipment or access issues do not allow for electronically generated citations, or if approved by the Administrative Office of the Courts for agencies which issue less than 500 citations annually. The complaint and notice to appear shall be in the form set out in Appendix 5 and comply with NCIC codes. The Uniform Citation and Complaint shall consist of four parts:

(a) the complaint, to be filed with the court;

(b) the officer's copy;

(c) the prosecutor's copy; and

(d) the defendant's copy, with the waiver and plea printed on the reverse side.

The citation shall be 8½ x 11 inches in size and printed in the format approved by the Supreme Court. Any agency wishing to replace the offenses in the approved template with other offenses unique to its enforcement responsibility may submit a written proposal to the Administrative Office of the Courts for approval. The back of the officer and prosecutor copies may be printed to accommodate the needs of the agency, without permission of the Administrative Office of the Courts.

(3) Numbering: All citations shall be numbered in consecutive order. Each number shall contain up to two alpha characters assigned by the Administrative Office of the Courts and up to seven numerals with no leading zeros. The citation number shall be displayed at the top of the citation in Arabic characters and numerals.

(4) The defendant's signature promising to appear may be captured by a digital representation or captured on the paper citation which is filed with the court, if applicable.

(B) Uniform Citation in Lieu of Arrest.

(1) Form: Any citation in lieu of arrest issued pursuant to Neb. Rev. Stat. §§ 29-422 through 29-430 or Neb. Rev. Stat. § 60-684 shall comply with the following minimum standards:

(a) the name and address of the defendant;

(b) a field for the defendant's language need if the defendant will require an interpreter when he or she appears in court;

(c) the date of birth of the defendant;

(d) the offense(s) charged;

(e) the date, time, and location of the offense;

(f) the time and place the defendant is to appear in court;

(g) a written promise to appear in court and a line on which the defendant shall place his or her signature promising to appear in court (applicable only to citations issued by law enforcement personnel);

(h) a warning that failure to appear in accordance with the command of the citation is a punishable offense;

(i) the citation may constitute a complaint filed in the trial court (applicable only to citations issued by law enforcement personnel); and

(j) officer and prosecution copies of the citation may contain additional information specific to the agencies' needs.

*Rule 63 adopted September 26, 2006. Renumbered and codified as § 6-1463, effective July 18, 2008; § 6-1463(B)(1)(f)-(h) amended June 8, 2011; § 6-1463 amended December 13, 2017, effective January 1, 2019.*

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